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8
9 UNITED STATES DISTRICT COURT
10 DISTRICT OF NEVADA

11 MARILYN BUEHNER,

Case No.: 2:12-cv-00748-JCM-VCF

12 Plaintiff,

13 v.

14 AMERICAN FAMILY MUTUAL
INSURANCE COMPANY, a Wisconsin
15 Corporation,

16 Defendants.

**STIPULATION AND ORDER TO
EXTEND DISCOVERY PERIOD**

(FIRST REQUEST)

17 Pursuant to L.R. 26-4, Plaintiff Marilyn Buehner by and through her counsel of record
18 William R. Brenske of the Law Office of William R. Brenske and Defendant American Family
19 Mutual Insurance Company by and through its attorneys of record Thomas Winner of the law office
20 of Atkin Winner & Sherrod hereby stipulate and request this Court to approve an extension of the
21 currently existing discovery cut-off date of January 2, 2013 and all unexpired discovery deadlines.
22 This is the first request to modify the Scheduling Order and Discovery Plan filed on July 19, 2012.
23

24 The parties ask that the existing discovery cut-off date be extended for a period of sixty (60)
25 days, up to and including **Monday, March 4, 2013**, with all expert witness, dispositive motions and
26 Joint Pre-Trial Order deadlines extended accordingly.
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28

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A. Statement Specifying the Discovery Completed:

1. Plaintiff and Defendant have made their initial document disclosures and supplements thereto.
2. Plaintiff and Defendant have served and answered written discovery.

B. Specific Description of Discovery that Remains to be Completed:

1. Disclosure of expert witnesses;
2. Depositions of Plaintiff, potential expert/rebuttal expert witnesses if necessary, and fact witnesses if necessary;
3. The Parties reserve the right to take additional depositions as warranted by further developments;
4. Disclosure of rebuttal expert witnesses; and
5. The Parties reserve the right to propound additional written discovery.

C. The Reasons Why the Discovery Remaining was not Completed within the Time Limits set by the Discovery Order:

Due to the trial schedule of Plaintiff's and Defendant's counsel, the parties will not have sufficient time to disclose experts prior to the expert disclosure deadline of November 2, 2012. Additionally, the Parties are conferring pursuant to FRCP 37(a)(1) in an effort to resolve written discovery matters before the disclosure of expert witnesses.

D. Proposed Schedule for Completing all Remaining Discovery:

1. CLOSED: All parties shall file motions to add parties or amend pleadings on or before **October 3, 2012**.
2. All parties shall complete discovery on or before: **March 4, 2013**
3. All parties shall make expert disclosures pursuant to Fed. R. Civ. P. 26(a)(2) on or before: **January 2, 2013**.

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4. All parties shall make rebuttal expert disclosures on or before: **February 1, 2013.**
5. All parties shall file dispositive motions on or before: **April 3, 2013.**
6. The Joint Pretrial Order shall be filed no later than 30 days after the date set for filing dispositive motions. In this action, the Joint Pretrial Order shall be filed on or before **May 3, 2013.** In the event dispositive motions are filed, the date for filing the Joint Pretrial Order shall be suspended until 30 days after the decision of the dispositive motions or further order of the Court.
7. Fed. R. Civ. P. 26(a)(3) Disclosures: The disclosures required by Fed. R. Civ. P. 26(a)(3) and any objections thereto shall be included in the Pretrial Order.

E. Said request is not being made for the purpose of unduly delaying discovery or the trial of this matter. Accordingly, based on the foregoing, the Parties respectfully request this Court issue an Amended Discovery Order reflecting the above proposed discovery deadlines.

DATED this 31st day of October 2012.

DATED this 31st day of October 2012.

**LAW OFFICE OF
WILLIAM R. BRENSKE**

ATKIN WINNER & SHERROD

Ryan D. Kramel
WILLIAM R. BRENSKE, ESQ.

/s/
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Las Vegas, NV 89101
*Attorneys for Plaintiff,
Marilyn Buehner*

IT IS SO ORDERED THAT:

1. All parties shall complete discovery on or before: **March 4, 2013**
2. All parties shall make expert disclosures pursuant to Fed. R. Civ. P. 26(a)(2) on or before: **January 2, 2013.**

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3. All parties shall make rebuttal expert disclosures on or before: **February 1, 2013.**
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6. Fed. R. Civ. P. 26(a)(3) Disclosures: The disclosures required by Fed. R. Civ. P. 26(a)(3) and any objections thereto shall be included in the Pretrial Order.

DATED this 1st November day of 2012.

UNITED STATES MAGISTRATE JUDGE